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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF COMMERCE
(Export Trade Control)
ORDERS

New Delhi, the 19th October 1966

S.O. 3160.—In exercise of the powers conferred by section 3 of the Imports and Exports (Control) Act, 1947 (18 of 1947), the Central Government hereby makes the following Order further to amend the Exports (Control) Order, 1962, namely:—

1. This Order may be called the Exports (Control) Amendment Order, 1966:

2. In the Exports (Control) Order, 1962—

(a) After clause 8B, the following clause shall be inserted, namely:

"8C. (1) *Publicity of action taken under clause 8 or 8A.*—(1) If the Central Government is of opinion that it is necessary or expedient in the public interest to publish the name of any person or class of persons and other relevant particulars, against whom action under clause 8 or 8A is taken, it may publish or cause to be published, the name of such person or class of persons and such particulars in such manner as it thinks fit.

(2) No publication under sub-clause (1) shall be made in relation to any such action until the time of presenting an appeal, if any, to the appellate authority has expired without an appeal having been presented or, the appeal, if presented, has been disposed of.

Explanation.—In the case of a firm, company or other association of persons, the names of the partners of the firm, directors, managing agents, secretaries and treasurers, or managers of the company, or the members of the association, as the case may be, may also be published if, in the opinion of the Central Government, the circumstances of the case justify it".

(b) After clause 9 the following clause shall be inserted, namely:—

"9A. *Appeals.*—Where any person is aggrieved by any action taken under clause 8 or 8A, he may prefer an appeal against such action to such authority as the Central Government may, by notification in the Official Gazette, constitute for the purpose of hearing appeals, within thirty days from the date of the communication of the action taken".

[No. E(C)O, 1962/AM(111).]

[Issued from file No. 4(52)/Misc./62.]

(Import Trade Control)

New Delhi, the 19th October, 1966

S.O. 3161.—In exercise of the powers conferred by section 3 of the Imports and Exports (Control) Act, 1947 (18 of 1947), the Central Government hereby makes the following Order further to amend the Imports (Control) Order, 1955, namely:—

1. This Order may be called the Imports (Control) Seventh Amendment Order, 1966.

2. In the Imports (Control) Order, 1955—

(1) In sub-clause (3) of clause 5, after item (ii), the following proviso shall be inserted, namely:—

"Provided that the conditions under items (i) and (ii) of this sub-clause shall not apply in relation to licences issued to the State Trading Corporation of India, the Minerals and Metals Trading Corporation of India and other similar institutions or agencies owned or controlled by the Government".

(2) For the opening paragraph of clause 8, the following shall be substituted, namely:—

"8. *Power to debar from receiving licences or allotments of imported goods.*—The Central Government or the Chief Controller of Imports and Exports may debar a licensee or importer or any other person from receiving licences or allotments of imported goods through the State Trading Corporation of India, the Minerals and Metals Trading Corporation of India, or any other similar agency, and direct, without prejudice to any other action that may be taken against him in this behalf, that no licence or allotment of imported goods shall be granted to him for a specified period under this Order:—"

(3) For clause 8A, the following clause shall be substituted, namely:—

"8A. *Power to suspend grant of licences or allotments of imported goods.*—The Central Government or the Chief Controller of Imports & Exports may suspend the grant of licences or allotments of imported goods through the State Trading Corporation of India, the Minerals and Metals Trading Corporation of India, or any other similar agency, to a licensee or importer or any other person, pending investigation into one or more of the allegations mentioned in clause 8, without prejudice to any other action that may be taken against him in this behalf:

Provided that grant of a licence or allotment of imported goods shall not ordinarily be suspended under this clause for a period exceeding twelve months:

Provided further that on the withdrawal of such suspension, a licence or allotment of imported goods may be granted to him for the period of suspension subject to such conditions, restrictions or limitations as may be decided by the authority aforesaid, keeping in view the foreign exchange position, indigenous production and other relevant factors".

(4) After clause 8A, as so amended, the following clauses shall be inserted, namely:—

"8B. *Power to keep in abeyance applications for licences or allotments of imported goods.*—Where any investigation into any of the allegations mentioned in clause 8 is pending against a licensee or importer or any other person, and the Central Government or the Chief Controller of Imports and Exports is satisfied that without ascertaining further details in regard to such allegation, the grant of licence or allotment of imported goods will not be in the public interest, then, notwithstanding anything contained in this Order, the Central Government or the Chief

Controller of Imports and Exports may keep in abeyance any application for grant of licence from such person, or direct the State Trading Corporation of India, the Minerals and Metals Trading Corporation of India, or any other similar agency to keep in abeyance allotments of imported goods to such person, without assigning any reason, and without prejudice to any other action that may be taken in this behalf:

Provided that the period for which the grant of such licence or allotment is kept in abeyance under this clause shall not ordinarily exceed six months.

8C. *Publicity of action taken under clause 8 or 8A.*—(1) If the Central Government is of opinion that it is necessary or expedient in the public interest to publish the name of any person or class of persons and other relevant particulars, against whom action under clause 8 or 8A is taken, it may publish or cause to be published, the name of such person or class of persons and such particulars in such manner as it thinks fit.

(2) No publication under sub-clause (1) shall be made in relation to any such action until the time of presenting an appeal, if any, to the appellate authority has expired without an appeal having been presented or, the appeal, if presented, has been disposed of.

Explanation.—In the case of a firm, company or other association of persons, the names of the partners of the firm, directors, managing agents, secretaries and treasurers, or managers of the company, or the members of the association, as the case may be, may also be published if, in the opinion of the Central Government, the circumstances of the case justify it".

(5) Clause 10 shall be re-numbered as sub-clause (1) thereof and after sub-clause (1), as so re-numbered, the following sub-clause shall be inserted, namely:—

"(2) Where any person is aggrieved by any action taken under clause 8 or 8A, he may prefer an appeal against such action to such authority as the Central Government may, by notification in the Official Gazette constitute for the purpose of hearing appeals, within thirty days from the date of the communication of the action taken".

[No. 11/66.]

[Issued from file No. 4(52)/Misc./62.]

V. K. AHUJA, Jt. Secy.

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